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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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|------------------------------|---|-------------------------------------|
| 10 UNITED STATES OF AMERICA, |) | No. CR-10-0274 MMC |
| |) | |
| 11 Plaintiff, |) | |
| |) | STIPULATION AND PROPOSED |
| 12 v. |) | ORDER TO CONTINUE STATUS |
| |) | CONFERENCE AND EXCLUDE TIME |
| 13 SURIYA SRITHONG, |) | |
| |) | |
| 14 Defendant. |) | |
| |) | |

15 _____

16 The parties jointly request that, subject to the Court's approval, the status conference
17 presently set for July 21, 2010, be continued to September 1, 2010, at 2:30 p.m.

18 Defendant Suriya Srithong is charged with two counts of violating 26 U.S.C. Section
19 7206(1), false tax returns, and sixteen counts of 26 U.S.C. Section 7202, failure to account for
20 and pay over withholding taxes. When he last appeared before the Court on April 28, 2010, the
21 parties informed the Court that there was a large volume of discovery in this case that needed to
22 be produced to the defense, and then reviewed and considered by the defense. That task has
23 taken even longer than anticipated. The defense is still in the process of reviewing and
24 considering the discovery and requires additional time to complete that process.

25 Based on the availability of counsel and the Court, the parties agree that it would be in
26 the interests of justice to continue the status hearing to September 1, 2010, at 2:30 p.m. The

1 parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from July 21,
2 2010, to September 1, 2010, given the need for effective preparation of defense counsel and
3 continuity of counsel.

4 IT IS SO STIPULATED.

5 DATED: July 15, 2010

6 /s/
THOMAS M. NEWMAN
Assistant United States Attorney

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8 DATED: July 15, 2010

9 /s/
JODI LINKER
Assistant Federal Public Defender

10
11 ~~PROPOSED~~ ORDER

12 The Court hereby ORDERS that the status conference currently set for July 21, 2010, be
13 continued to September 1, 2010, at 2:30 p.m.

14 Based upon the representation of counsel and for good cause shown, the Court finds that
15 failing to exclude the time from July 21, 2010, to September 1, 2010, would unreasonably deny
16 the defendant and his counsel the reasonable time necessary for effective preparation, taking into
17 account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds
18 that the ends of justice served by excluding the time from July 21, 2010, to September 1, 2010,
19 from computation under the Speedy Trial Act outweigh the best interests of the public and the
20 defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time from July 21,
21 2010, to September 1, 2010, shall be excluded from computation under the Speedy Trial Act. 18
22 U.S.C. § 3161(h)(7)(A) and (B)(iv).

23 IT IS SO ORDERED.

24 July 20, 2010
25 DATED

26 /s/ Charles R. Breyer for
MAXINE M. CHESNEY
United States District Judge